IN RE: PETITION FOR ADMIN. VARIANCE
W/S Garrison Forest Road, 100' N
centerline of Hawick Court
4th Election District
3rd Councilmanic District
(12330 Garrison Forest Road)

G. Ridgely & Leila P. Hardy Petitioners

- BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 02-324-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, G. Ridgely and Leila P. Hardy. The variance request is for property located at 12330 Garrison Forest Road in the Owings Mills area of Baltimore County. The variance request is from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 38 ft. in lieu of the required 50 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

2802

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this $\frac{\partial \mathcal{H}}{\partial x}$ day of March, 2002, that a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 38 ft. in lieu of the required 50 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

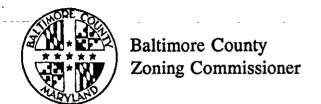
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:rai





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

March 8, 2002

Mr. & Mrs. G. Ridgely Hardy 12330 Garrison Forest Road Owings Mills, Maryland 21117

> Re: Petition for Administrative Variance Case No. 02-324-A Property: 12330 Garrison Forest Road

Dear Mr. & Mrs. Hardy:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

luthy Kotroco

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the prop	erty located at 12330 carnson Forest-120
	which is presently zoned <u>BC-5</u>
This Petition shall be filed with the Department of Pe owner(s) of the property situate in Baltimore County and v made a part hereof, hereby petition for a Variance from So	rmits and Development Management. The undersigned, lead which is described in the description and plat attached hereto a section(s) /AO4.3.B.2.BCZR
	h a side yard setback of
38 A. in lieu of the regu	ured 50 H.
of the zoning regulations of Baltimore County, to the zoning this petition form.	ng law of Baltimore County, for the reasons indicated on the ba
Property is to be posted and advertised as prescribed by i I, or we, agree to pay expenses of above Variance, advertising regulations and restrictions of Baltimore County adopted pursua	, posting, etc. and further agree to and are to be bounded by the zon
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	<u>Legal Owner(s):</u>
Name - Type or Print	Name - Type or Print
Signature Address Telephone No.	Signature Ridgely Hamily Name Type or Plint
City State Zip Code	Signature OF MAN Herry
Attorney For Petitioner:	Address Address Telephone
Name - Type or Print	City NIIS NO ZILIT
Signature	Representative to be Contacted:
Company	Name
Address Telephone No.	Address Telephone I
City State Zip Code	City State Zip Co
A Public Hearing having been formally demanded and/or found to this day of that the subject matter regulations of Baltimore County and that the property be reposted.	be required, it is ordered by the Zoning Commissioner of Baltimore Cou of this petition be set for a public hearing, advertised, as required by the zo
	Zoning Commissioner of Baltimore County
CASE NO. 02-324-A	Reviewed By JRF Date 2-4-02
#\$# 9115198 I	Estimated Posting Date 2-17-02

Affidavet in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

mat the Attant(s) does/do presently reside at	Address	downson I	0401 K0301	
	Owin	slind of	OM	21117
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the fac	ts upon which I/we		or an Administrative
1. House beyond too	waster 1	no moonbso	(N) side of	residence
my paperace	off though	or pack of ultrany 26bf	he spece (A)	residence
		nte baken	to from the	- partera
- from		skr restric	dow ped ba	r è oil fead
925				
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is additional inform	s filed, Affiant(s) v ation.	vill be required to p	ay a reposting and
Signature Name - Type or Print		Signature Name - Type or Print	dgely Ho	ardif
STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this 30 day of 1 day	AN	,2 <i>00 2</i> / ed	, before me, a Notar	y Public of the State
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set for	factorily identifie orth are true and	d to me as such A correct to the bes	Affiant(s), and made it of his/her/their kno	oath in due form of wledge and belief.
AS WITNESS my hand and Notarial Seal		Mey	Malan	
Date	Notary	Public		
	Му Со	mmission Expires		EIBOWITZ
REV 09 15 98				TATE OF MARYLAND n Expires 1/21/03

Afficavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	12330 Address	donnow .	Forest Road	
		Slin ap		21117 Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	wing are the fac ip or practical di	cts upon which 1/fficulty):	we base the reque	est for an Administrative
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mp specel	e to 510	n on pack Indicant 20	et (M) side	of Lesigner
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand i additional inform	s filed, Affiant(s) ation.	will be required t	o pay a reposting and
Signature Signature R Abadu		Signature G. R.	1dgely	Hardy
Name - Type or Print		Name - Type or Pr	int (0
STATE OF MARYLAND, COUNTY OF BALTIM				
I HEREBY CERTIFY, this 37H day of of Maryland, in and for the County aforesaid, pe	rsonally appear	ed , 200 2	_, before me, a No	otary Public of the State
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily identific	ed to me as such d correct to the be	n Affiant(s), and ma est of his/her/their l	ade oath in due form of knowledge and belief.
AS WITNESS my hand and Notarial Seal		10 11	-1'	/
Date //30/02	Notan	Mul(Public	Toulland	

My Commission Expires

REU 09/15/98

NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires 1/21/03



Petition for Administrative Variance

*	, to	ine Zonii	ng Commi	issioner oi	Baitimoi	re County
RYL		for the proj	perty located at	12330	carram F	by force
			whi	ch is presently	zoned <u>QC</u>	-5
This Petition shall be filed owner(s) of the property situ made a part hereof, hereby	rate in Baltime	ore County and	which is describe	ed in the descript	tion and plat atta	ched hereto and
To permit	र्गाहिस्ट स्ट ए फिल्म्स्ट	aon migh	e super As	inshlew lite	: af 36.4	. 181 Nove
	-					
of the zoning regulations of of this petition form.	Baltimore Co	unty, to the zon	ing law of Baltime	ore County, for th	ie reasons indic	ated on the back
Property is to be posted and I, or we, agree to pay expense regulations and restrictions of I	s of above Var	iance, advertisin	a, postina, etc. and	l further agree to a	nd are to be bour ounty.	ded by the zoning
			perjury, 1	solemnly declare a that I/we are the le bject of this Petitio	gal owner(s) of the	ne penalties of property which
Contract Purchaser/Les	ssee:		<u>Legal (</u>	Owner(s):		
Name - Type or Print		<u>.</u>	Name - T	ype or Print	<u> </u>	
Signature			Signature	Q Ridge	المحمد الماء	
Address		Telephone No.	Name T	ype or Plint	1 Hours	
City	State	Zip Code	Signature	11-1	7	
Attorney For Petitioner:	İ		Address	30 danne	on Fount-R	Telephone No.
Name - Type or Print			City	cliss of	State	スハハコ Zip Code
				sentative to be	Contacted:	
Signature						<u> </u>
Company			Name			
Address		Telephone No.	Address			Telephone No.
City	State	Zip Code	City		State	Zip Code
A Public Hearing having been for this day of regulations of Baltimore County an	ormally demand that the proper	led and/or found at the subject matte ty be reposted.	to be required, it is er of this petition be s	ordered by the Zon et for a public hearin	ing Commissioner og, advertised, as re	of Baltimore County, quired by the zoning
			<u> </u>	Zoning Commissione	er of Baltimore Cour	ity
CASE NO. <u>02-3</u>	324-A		Reviewed By _	JRF	Date2	.4-02
REU 9115198			Estimated Post	JRF	2-17-02	

ZONING DESRIPTION FOR:

12330 Garrison Forest Road

Owners: G. Ridgely Hardy and Leila P. Hardy

Beginning at a point on the west side of Garrison Forest Road, which is 100 feet north of the centerline of the nearest improved intersecting street Hawick Court. The property is in the Minor Subdivision of Price Property, as recorded as Deed Reference: GLB No. 2735 folio 568. N77 17'47"W 470.9 ft, S34 42' 45"W 45.34 ft, S07 16'30"W 144.91 ft, N56 30'49" W 420.01', S34 51'59"W 128.5 ft, S23 51'53" W 120.01 ft, S17 36'40" W 99.97 ft.

Also known as 12330 Garrison Forest Road and located in the 4th Election District, 3rd Councilmanic District.

)FFIC	E OF BUDGET & FINANCE CELLANEOUS RECEIPT	No. 07842
ATE_	02-04-62 ACCOUNT 001	- 006- 6150 R
	AMOUNT \$ 50.	00 0
ECEIV	ED LEILA HARDY	· •
OR:	12330 Garrison Frest Rd. OI - VARIANCE	TAKEN BY: JRF
ISTRIB VHITE -	UTION - CASHIER PINK - AGENCY YELLOW - CUSTOMER	

PAID RECEIPT
PAYMENT ACTUAL... TIME
2/04/2002 2/04/2002 09:30:56
REI WSOS CASHIER REOS LRB DRAWER 5
>>RECEIPT # 248317 OFLN
Dert 5 528 ZONING VERIFICATION
CR NO. 007842

Recept Tot 50.00
50.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906



Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 02-324-A
PETITIONER/DEVELOPER:
Ridgely and Leila Hardy
CLOSING DATE:
March 4, 2002

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

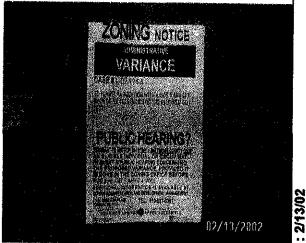
ATTENTION: GEORGE ZAHNER

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

OSTED ON





LOCATION:

12330 Garrison Forest Road West side of Garrison Forest Road Opposite of Hawick Court

DATE: 2/13/02

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

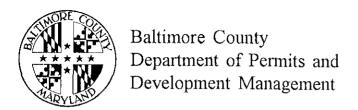
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

ltem Num	nber or Case Number: 324
Petitioner	: 9 Ridgely sed Leils ? Harding
	or Location: 123:30 Governor Town Road, Overres Hills MI
PLEASE	FORWARD ADVERTISING BILL TO:
Name: _	9. Ridgely 2 Carta Hardy
Address:	- 15330 doneson Long Board
	·
	Cine and offer of

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 324 -A Address 12330 GARRISON FOREST RIV.
Contact Person: JUN R. FERNANCO Phone Number: 410-887-3391
Filing Date: 2-H-02 Posting Date: 2-17-02 Closing Date: 3-4-04
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) dony the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 02- 324 -A Address 12330 GARRISON FOREST RD.
Petitioner's Name Ridgely 4 Leila Hardy Telephone 410-654-0554+
Posting Date: 2-17-02 Closing Date: 3-4-02
Wording for Sign: To Pormit on addition with a side yard setback
Wording for Sign: To Permit an addition with a side yard setback of 38 ft. in lieu of the required 50 ft.
WCR - Revised 6/28/00



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

March 4, 2002

Ms. Leila P Hardy 12330 Garrison Forest Road Owings Mills MD 21117

Dear Ms. Hardy:

RE: Case Number: 02-324-A, 12330 Garrison Forest Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 2, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richard, Jr.

W. Carl Richards, Jr. らうて Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 21, 2002

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for March 4, 2002

Item Nos. 314, 315, 316, 319, 320, 321, 322, 323, 324, 327, 328 and

329

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:cab

cc: File

ZAC-3-4-2002-NO COMMENT ITEMS-03212002.doc



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

February 28, 2002

Department of Permits and Development Management (PDM) County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 25, 2002

Item No.: 285, 318, 320, 322, (324,) 327, 329, 330

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley 485 /bT

DATE:

March 25, 2002

Zoning Advisory Committee Meeting of February 25, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

285, 314-325, 327-329

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: February 25, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-304,02-321, 02-322, 02-324

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

FEB 2 5

Section Chief:

AFK/LL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams

Administrator

Date: 2.22.07

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 324 JRF

Dear. Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. 1. Great

for

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division Jan 22, 2002

Office of Zoning Review Baltimore County, MD

To Whom It May Concern:
We, (Bob and Tinker Hickey) have reviewed and understand the Hardy's addition proposal
and offer no protest. We reside at the property of 12334 Garrison Forest Road.
Signature Eleen Hickey Date: 1/27/02
We (Steve and Gina Millstein) have reviewed and understand the Hardy's addition proposal and offer no protest. We reside at 12332 Garrison Forest Road.
Signature Date: 1/27/01
We, (Rick and VickisSinger) have reviewed and understand the Hardy's addition plans and offer no protest. We reside at #2 Hawick Court, directly across Garrison Forest Road.
Signature Uchie Date: 1/27/02



The bound sognifue to myent 15, there come in any of issigning

[Marker BR - Front ver]

Bobs Elan Hickory resigence (clarack)

#324

